

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

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U.S. DISTRICT COURT
N.D. OF ALABAMA

LARRY HOPE,

Plaintiff,

vs.

MARK PELZER, et al.,

Defendants.

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Civil Action #

96-BE-2968-S

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

COMES NOW the Plaintiff pursuant to F.R.C.P. Rule 56 and hereby moves for summary judgment with respect to the Plaintiff's claims against Defendants Pelzer, McClaran and Gates. All three defendants were Department of Corrections employees at Limestone Correctional Facility who caused Plaintiff to be unconstitutionally restrained to the hitching post and/or caused him to remain restrained under unconstitutional conditions. The Plaintiff seeks summary judgment for the reasons set forth in the brief filed contemporaneously herewith.

82

Respectfully submitted this 3 day of November, 2004.

CRAIG T. JONES //

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Georgia # 399476

Lead counsel for plaintiff Larry Hope *admission*
(Admitted pro hac vice)

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served by U.S. Mail addressed to the following counsel of record:

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Montgomery, AL 36130-0152

Andrew W. Redd
Kim Thomas
Alabama Department of Corrections
Legal Division
PO Box 301501
Montgomery, AL 36130-1501.

This, the 3 day of November, 2004.



Counsel for plaintiff Larry Hope